

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

JANET BROWN, *et al.*,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

AND CONSOLIDATED ACTIONS AND
THIRD PARTY ACTION

Case No. 3:19-cv-00207-MMD-CSD

Member Cases:
3:19-cv-00383-MMD-WGC
3:19-cv-00424-MMD-WGC
3:19-cv-00418-MMD-WGC

ORDER

This consolidated case arises from a fatal plane crash at the Reno-Tahoe International Airport (“RNO”). Plaintiffs¹ sued the United States of America under the Federal Tort Claims Act (“FTCA”), 28 U.S.C. §§ 1346(b)(1) and 2671-2680, alleging that the negligence of Federal Aviation Administration (“FAA”) air traffic controllers at RNO was the sole cause of the crash. The Court found that the government prevailed in an order issued following a bench trial. (ECF No. 177 (“Bench Order”).) However, the United States Court of Appeals for the Ninth Circuit reversed the Court’s no-breach finding in the Bench Order and remanded for the Court to reconduct its causation analysis. (ECF No. 215 (“Memo Dispo”) at 2.) And now that the Ninth Circuit has issued its mandate (ECF No. 216), jurisdiction has returned to the Court to do that.

¹Plaintiffs are the Brown Parties, consisting of Janet Brown, Laura Melendez, John Bradley Brown, the estate of John Brown aka Johnny Brown, and Flying Start Aero, LLC (ECF No. 170 at 1-2), and the Elliker Parties, consisting of Jocelyn Elliker, Carrie Romo, as the parent and guardian ad litem for B.E., Megan Romo Elliker, individually and as the Executor of the Estate of James Elliker, Dustin Elliker, and Katelynn Hansen (ECF No. 171 at 1). The Court refers to the two sets of Plaintiffs as the Brown Parties and the Elliker Parties herein.

1 It is therefore ordered that the parties must meet and confer, and then file a joint
2 status report within 14 days proposing a series of steps to bring this case to final resolution
3 consistent with the Ninth Circuit's Memo Dispo.

4 The Court further notes for the parties' reference that the Clerk of Court has
5 reopened this case following receipt of the Mandate.

6 DATED THIS 13th Day of August 2024.

7
8 

9 MIRANDA M. DU
10 CHIEF UNITED STATES DISTRICT JUDGE
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28